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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 TRACY MITCHUSSON, an individual;

16 Case No. 2:22-cv-01839-JCM-VCF

17 Plaintiff,

18 vs.

19 BANK OF NEW YORK MELLON, a foreign
20 Delaware Corporation; NEWREZ, LLC dba
21 SHELLPOINT MORTGAGE SERVICING, a
22 foreign limited liability company; MTC
23 FINANCIAL INC., a foreign California
24 Corporation; and DOE individuals I through X
25 and ROE Corporations I through X;

26 Defendants.

27 **STIPULATION AND ORDER TO CONTINUE BRIEFING SCHEDULE ON**
28 **PLAINTIFF'S OPPOSITION TO MOTION TO DISMISS**

29 Plaintiff, Tracy Mitchusson (“Plaintiff”), by and through her attorney, Michael R.
30 Mushkin, and Bank of New York Mellon and Newrez, LLC dba Shellpoint Mortgage Servicing
31 (“Defendant BONYM” and “Defendant Shellpoint”), by and through their attorney, Melanie D.
32 Morgan, and MTC Financial Inc. (“Defendant MTC”), by and through their attorney Richard
33 Reynolds, hereby stipulate regarding the Motion to Dismiss [ECF No. 8] as follows:

1 1. Defendants filed their Motion to Dismiss (the “Motion”) on November 21, 2022.
2 2. The Opposition to the Motion was due on December 5, 2022.
3 3. The Parties wish to continue the briefing on the Motion and the deadline to file the
4 Opposition.

5 4. Accordingly, the Parties request that the briefing be continued with the Opposition
6 due on or before December 12, 2022.

7 5. This Stipulation is made in good faith and not for the purposes of delay. Plaintiffs’
8 staff has tested positive for covid and is recovering.

9 **IT IS SO STIPULATED.**

10 Dated this 7th day of December 2022

11 MUSHKIN & COPPEDGE

12 /s/Michael R. Mushkin

13 MICHAEL R. MUSHKIN, ESQ.
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18 Las Vegas, NV 89119

19 *Attorneys for Plaintiff, Tracy Mitchusson*

20 Dated this 7th day of December 2022

21 BURKE, WILLIAMS, & SORENSEN, LLP

22 /s/Not Approved

23 RICHARD J. REYNOLDS, ESQ.
24 Nevada Bar No. 11864
25 1851 East First Street Suite 1550
26 Santa Ana, CA 92705-4067

27 *Attorneys for MTC Financial Inc. dba Trustee
28 Corps*

1 Dated this 7th day of December 2022

2 AKERMAN LLP

3 /s/Melanie D. Morgan

4 MELANIE D. MORGAN, ESQ.
5 Nevada Bar No. 8215
6 1635 Village Center Circle, Suite 200
7 Las Vegas, NV 89134

8 *Attorneys for The Bank of New York Mellon
9 and Newrez LLC dba Shellpoint Mortgage
10 Servicing*

11 **IT IS SO ORDERED.**

12 
13 _____
14 **UNITED STATES DISTRICT JUDGE**
15 **DATED:** December 9, 2022